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ANNUAL REPORT

OF THE

SURVEYOR GENERAL

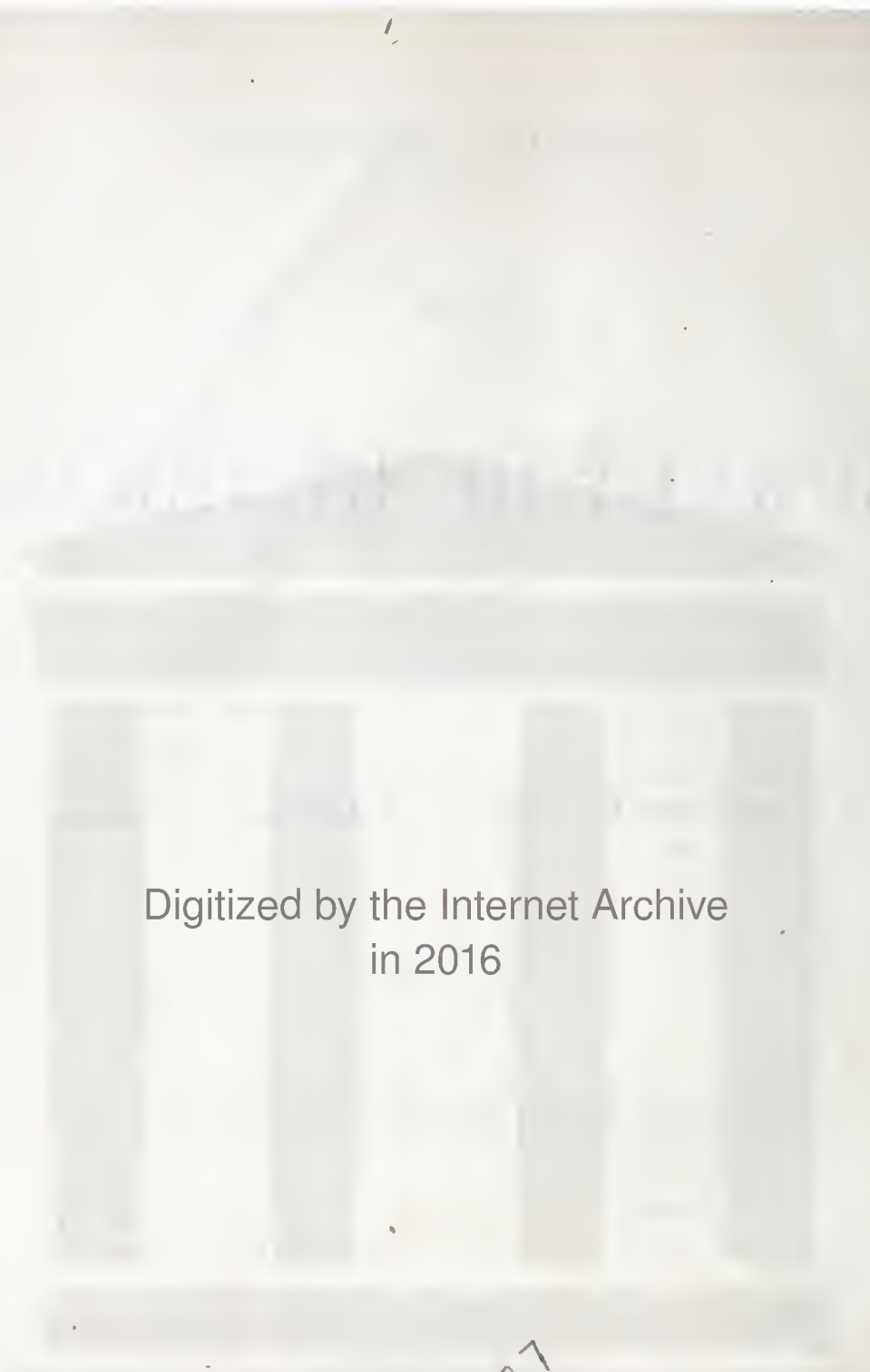
OF THE

COMMONWEALTH OF PENNSYLVANIA,

FOR THE

Year ending November 30, 1869.

HARRISBURG:
B. SINGERLY, STATE PRINTER.
1870.



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REPORT.

SURVEYOR GENERAL'S OFFICE,
HARRISBURG, *December* 1, 1869.

To His Excellency, JOHN W. GEARY,
Governor of the Commonwealth of Pennsylvania:

SIR:—Since my last annual report, the work of entering the lists of unpatented and patented lands, against which the State has liens on account of unpaid purchase money and fees, into the office dockets prepared for these accounts, has been completed, and are comprised in four large volumes. The entries therein are made by counties, with the list of each county alphabetically arranged. An alphabetical arrangement of the counties themselves was deemed impracticable, but the original or older counties were taken as a basis, and those formed from them follow as nearly as possible in their order as found in the warrant registers, priority, in some instances, giving way to geographical location, and are as follows:

Volume 1, contains Philadelphia, Montgomery, Berks, Schuylkill, Chester, Delaware, Lancaster, Dauphin, Lebanon, Bucks, Northampton, Lehigh, Carbon, Monroe, Pike and Wayne.

Volume 2, contains Northumberland, Luzerne, Columbia, Montour, Lycoming, Sullivan, Wyoming, Susquehanna, Bradford, Tioga, Potter, Clinton, Union, Centre and Snyder.

Volume 3, contains York, Adams, Cumberland, Franklin, Perry, Juniata, Huntingdon, Mifflin, Blair, Cambria, Clearfield, Cameron, Elk, M'Kean and Forest.

Volume 4, contains Bedford, Fulton, Somerset, Fayette, Westmoreland, Washington, Greene, Allegheny, Armstrong, Indiana, Jefferson, Clarion, Venango, Warren, Beaver, Butler, Mercer, Lawrence, Crawford and Erie.

These records, besides answering the immediate purpose for which they were compiled, will be found of service and convenience to the people of the State interested in unpatented lands, as well as in the administration of the affairs of this office in the future.

A very considerable number of liens have been entered against lands surveyed upon, and covering tracts taken up and patented on other war-

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rants, for the reason that this Department could not know that such interferences and conflicting rights existed, when the deputy surveyors failed to make proper memorandums on their returns, or when made, and no action taken within the time limited by law, by having the matter adjudicated by the Board of Property, the interfering surveys had to be treated as valid. The Act of 1864 contemplated that cases of this kind would occur, and provided a remedy through the courts. The Legislature, at the last session, passed an act affording more speedy relief to the owners of patented lands thus burdened by liens, against conflicting unpatented surveys. This statute is of importance in disposing of this class of cases.*

Perhaps the most troublesome feature connected with entering up the liens was, to get at the present location of the tracts, as many of the warrants and surveys are quite indefinite as to situation, or refer to some point or object only known to the people who were cotemporary with the date of the office rights. The formation of new counties and townships, often out of parts of older ones, themselves taken from original counties, and the fact that streams of the same name are frequently found both in the old and new counties, further complicated the difficulty of locating the tracts. Most of the surveys in the purchase of 1784, or "Last Purchase," having been made prior to the formation of the district into counties, give very meagre data as to the situation of them, requiring the investigation of whole batches, and general familiarization with the streams and other natural land marks. The locations of many tracts in that part of the State had to be approximated, and the liens entered in two or more adjoining counties with appropriate remarks. Duplications and some errors, therefore, as to location have, of course, been made.

The "county land lien dockets" required to be made out by the act of the 4th of April, 1868, have all been completed, and the prothonotary of each of the counties of the Commonwealth, is now in the possession of the docket containing the list of liens for their respective counties. The first of these dockets was sent out on the 6th day of May, 1869, the others following at intervals as completed, the last being sent out on the 27th day of November. As each docket was forwarded to the proper county the notice, by newspaper publication, was given as required by the act of April 8, 1869.

The one year stay of proceedings by the Attorney General, under the statute commencing to run only "from the date at which the Surveyor General shall have forwarded to each county, respectively, the land lien docket for the same," it is believed that no special advantage will be gained, or inconvenience suffered, by any county, owing to the date of receipt of the

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* See Appendix, page 16.

docket.* The preparation of these lien dockets, it is believed, has been the first practical step in the direction of closing up the accounts due on lands, and whilst the acts on which they are based have induced perhaps one-sixth of those owning unpatented lands, on which surveys had been returned at the date of the passage of the act of 20th May, 1864, to take out patents, *the full force and effect of the law will be more apparent when the one year's stay from the date of forwarding* each county docket shall have expired.

During *six years*, embracing the period since the passage of the act of 20th May, 1864, the records show that four thousand six hundred and thirty (4,630) tracts of land have been patented, and that the sum of two hundred and twenty-nine thousand five hundred and forty dollars and six cents ($229,540 06) have been paid into the State Treasury through this Department, as against twelve hundred and eighteen tracts patented, and sixty-eight thousand seven hundred and sixty-three dollars and fifty-seven cents ($68,763 57) paid in during the *six years* preceding 1864. This augurs well for the present system of collecting these accounts, for if the bare publication of the law has brought about so much activity on the subject of patenting lands, it is but reasonable to expect that the lien dockets, which bring the matter home to the people, as they do, by showing what tracts are unpatented, will cause the great body of owners of unpatented lands to liquidate the amounts due the State.

The act of 8th April, 1869, which restrains the Attorney General from proceeding to collect the liens under the seventh section of the act of 20th May, 1864, for one year from the date at which the "county land lien dockets" are *forwarded to the counties*, respectively, was eminently just and proper, because it gives those interested ample time to prepare their cases, and send in their applications and receive their patents, without incurring the additional cost that a suit in the courts of Dauphin county would impose upon them. But it is not thought that it would be to the best interest of either the State or the debtor to extend the time thus limited. *To do so would be but to repeat, in another form, the history of the act of* 1835, *for it would induce procrastination*, and excite hopes that still further extension of time or easier terms would be offered. The mode now adopted for the collection of these liens is believed to be the best that has been devised, and a few years of active and earnest enforcement of it will wipe out, so far as can be done, this long deferred and unfinished business.

No additional legislation on this subject is now necessary, but a fair and full opportunity should be given to test the efficacy and power of the system now in force, which was the result of the strong recommendation of the Governor of this Commonwealth, made in his annual message of 1863, as

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* See Appendix, page 21.

well as suggestions, from time to time, made by my predecessors, who, from their intimate knowledge of the affairs of the Department, in more instances than one, have recorded their emphatic disapproval of the act of 1835, and its numerous supplements, extending from that date to 1864, as a means for having the outstanding indebtedness for lands liquidated.

Although it is believed that no further legislation is necessary to enforce the payment of liens due the Commonwealth, I would again respectfully call attention to the fact that many tracts of land are held without any office right whatever, and for which the State has never received any payment. In my annual report for 1866, upon this subject, I said:

"There is another class of lands which does not appear to be contemplated by the act of 1864, and for which no adequate provision appears to have been made by any existing law that I am aware of. Lands have been taken possession of, improved and held, without even the formality of an application, warrant or survey; consequently, there is nothing on record in this office by which to determine the names of the parties, the number of acres taken, or the locality in which lands so taken possession of are situated. It is a well established fact, that large quantities of the best land in the State have been taken up in this way, and there is no mode of enforcing payment for it. There is not even the official data to determine who the parties are, or the amount of their indebtedness to the State. The date of *first* settlement is doubtless unknown to many of the present holders themselves, and, in many cases, it will be difficult, even now, to obtain the information—if much longer delayed it will be impossible to obtain it.

"Would it not be proper to make provision for the application, survey and return of these lands, with authority to add them to the list of liens where the parties are unable to pay the amount due the State in full; and in default of such application, (after a reasonable time given to the original holder, or those holding under him,) to vest the title of the State in such person as may make application for the same, in like manner as is now provided in case of vacant lands?

"Many persons holding lands of this description, are under the impression that twenty-one years' peaceable possession has divested the State of its right in the land, and, therefore, have not thought it necessary to make any application, or have a survey returned and accepted, believing their title to have been perfected by possession. They do not appear to be aware of the fact, that mere occupation or possession of vacant lands give no title whatever against the State, and that the 'the exercise of ownership in such cases does not raise the presumption of a grant, *nor does any statute of limitations run against the Commonwealth.*' It is due to all parties concerned that this very prevalent and erroneous impression should be corrected—that

the State receive the amount due for these lands, and the titles thereto be perfected."

And in relation to the large number of warrants that have heretofore been issued, upon which no returns of survey have been made, I would again recommend that a reasonable time should be given parties thus holding lands, so that they may have notice, and a period fixed, after which surveys on such warrants cannot be accepted, but other applications shall be entertained and warrants granted for the land.

The Senate, at the session of 1867, had this matter under consideration, (see Senate bill, No. 965,) and again during the session of 1868, (Senate bill, No. 427,) but no law in reference to the subject has been enacted. It is to be hoped, however, that action will be taken by the Legislature to provide for a liberal adjustment and speedy settlement of all such cases, and that they will not be permitted longer to remain in their present condition. All who have given the subject of closing up the affairs of this Department any attention, and who desire justice to the great body of the people who have paid for their lands—fairness to those who furnish the revenues for the support of the Government, and for the payment of our State debt—must agree that the temporizing policy pursued in relation to this subject prior to 1864, had the tendency to induce tardiness and indifference on the part of the debtor, and invite indefinite delay. In fact, it is thought that for years prior to that time but few patents were taken out, except in cases where parties required them in making conveyances upon alienation of their lands.

What may have been the controlling motive of the State for its long continued forbearance in the past, cannot now be certainly known, though it can be readily conceived that before the development of the resources of the Commonwealth, by a system of public improvements, and before the network of railroads were constructed, which now afford direct means of communication to almost every county—when money was very difficult to be obtained, and the farmer able to do but little more than make a living in the sparsely settled districts—the lumber and mineral lands almost valueless, because scarcely any progress had been made towards making available the wealth contained in them, there where strong reasons for allowing time to the owners to fulfill the contracts made with the State for their lands. And further, it is true that the lands remained a guarantee for the ultimate payment of the claims against them, besides the amounts in particular cases, as a rule, were small, with the exception of the accounts against what are technically known as "Applications" and "Actual Settlements," on which not one dollar, in most instances, has ever been paid. But now that the lands have appreciated in value to such an extent that the original price of them, even where the whole of it remains unpaid, (and the propor-

tion of such cases to the whole number of liens is very small,) is scarcely an item when compared with their present value, there can be no reason, either in equity or public policy, why payment should not be made and the titles fully completed. How manifest and striking the difference between the leniency of the State towards those owing her on account of lands, and the rigorous collection of claims against other defaulting debtors?

Many additional reasons might be adduced why these long deferred claims should be settled, not the least of which is the necessity and cost of maintaining this Department. If the necessary measures should be adopted, and the laws vigorously enforced, I can see no valid reason why all the accounts, of every character, should not be entirely settled in four or five years, the Department, as such, closed, and the building and records, with a sufficient number of clerks to furnish official copies, placed under the control of some other department of the State Government.

With a view to the ultimate accomplishment of this object, I would again suggest the propriety of having prepared lists of all the *patented lands*, giving the date of warrant, number of acres, name of warrantee and patentee, with the date of patent, &c., to be furnished to the recorder of the county in which such patented lands are situated, so that the people who are directly interested may have convenient access to these records. It is to the county records that they are accustomed to look for evidences of land titles; all deeds are, by law, required to be recorded there, and why should not some evidence of the patent—the deed from the Commonwealth—be recorded there also, as it is, or should be, the basis for all other deeds?

Since the completion of the "lien dockets," the disposable force of this Department has been employed in copying some of the most important of the dilapidated records of the office. Some four or five warrant registers, or indexes, of 800 to 1,000 pages each, and about 10,000 defaced and worn out surveys, should be copied. Five hundred of these surveys have been copied, and certified as required by the act of the 16th of February, 1833, and substantially bound in book form; and it is expected that the greater part of this work needing immediate attention, will be completed by the end of the present fiscal year. Should it not be deemed advisable by the Legislature to require a list of patented lands to be made out and sent to the several counties, as suggested, the clerical force of this Department may be materially reduced.

To the clerks of the Department I feel that some acknowledgment is due for the faithful and energetic manner in which they have all assisted in carrying out the provisions of the acts of 20th of May, 1864, and 4th of April, 1863. The requirements of these acts imposed a very heavy burden on this Department—one that it would be difficult to intelligently

describe, and which can only be appreciated by those familiar with the details, or have carefully examined the subject; for, in order to get out the accounts, most of the records of the office, consisting of more than a hundred warrant registers, account and patent books, and thousands of warrants, surveys and other papers, had to be examined and memoranda taken therefrom. The difficulty of locating tracts involved the use of local histories, research from the Colonial Records and Archives, and the examination of patents on tracts adjoining, or belonging to the same batch as the ones sought to be located, besides constant reference to the minutes of the Board of Property and acts of Assembly relating to the disposal of the lands of the State (and they are legion) were required.

Aside from the general desire and necessity for closing these accounts, the Commonwealth will be the gainer pecuniarily by this work, upon which the clerks have been engaged; for, whilst the additional force employed upon it have been paid from the Treasury, the fees provided by law for the work which they have done, after making a liberal allowance for the loss of the fees on such claims as cannot be collected, on account of duplicate entries, previous payment, or which, from other causes, will not be paid into the Treasury, will exceed by two hundred per cent. the amount of their aggregate salaries for the whole time they have been employed upon it.

The repeal of the second section of the act of 6th April, 1830, which restricted returns of surveys to an amount not greater than ten per cent. beyond the number of acres for which the warrant issued, thereby reviving the act of 13th March, 1817, which authorizes a return of survey, if it does not interfere with other vested rights, containing an excess not to exceed one hundred acres, on payment of the purchase money for the surplus, has, in practice, given satisfaction to the parties interested, and will permit those who have surveys returned, who own and reside upon land held under unreturned warrants, but enclosing within their lines more than ten per cent. beyond the amount of the warrant, and thus enable them to complete their titles with much less trouble than under former laws. In relation to warrants hereafter to be issued, it will also prove beneficial.

The applications for connected drafts, copies of warrants, surveys and other records, and for information relating to them, for use in the courts of the Commonwealth, in the trials of cases of contested land titles, and for other purposes, show a steady and heavy increase for some years back. The demand for official papers of this character, the work on which in former years constituted but a small portion of the duties of this office, has increased to such an extent, that it now requires the time and close attention of one half of the clerical force of this Department. For example,

take the item of connected drafts, the most difficult work of the office, and the past three years have averaged 2,565 tracts each year, whilst the average prior to that time was about 1,300 tracts.

I have frequently called attention to the insecurity of the archives of this Department, and feel that the importance of the subject will justify me in doing so again. The Commonwealth having assumed the care and protection of these important records and papers, undoubtedly the most valuable to the great body of her citizens of any in its custody, it is due to them that all reasonable precaution be taken to preserve them, at whatever cost may be necessary for that purpose. I repeat what I heretofore took occasion to say, that "the interior of the building is not fire proof, and the accumulation of books and papers for over a century, occupy nearly all the available space around the walls—these are all liable to be destroyed by the merest accident. Should the records of this office be destroyed by fire, the loss would be incalculable, and the evil irreparable. If it should not be deemed expedient to make the building itself fire-proof, properly constructed iron cases, in place of the wooden ones now in use, would afford at least comparative safety."

The Regents of the University of the State of New York, under a resolution of the General Assembly of that State, and this Department, under the seventy-fifth section of the act of 11th April, 1867, acting in conjunction, on the 15th day of September last, caused a new monument, of Quincy granite, to be placed near the shore of Lake Erie, to mark the boundary line between this State and New York. The sum of four hundred dollars was paid to the Quincy Granite Company for the monument, finished and delivered at the site of its erection; and as only two hundred dollars were appropriated by this Commonwealth, the expenses of the artist on the part of this State, attending the re-placing of the stone, remain unpaid. They were not heavy, but they should be reimbursed. The monument is eight feet long, (four feet above ground,) two feet wide and eight inches thick, and has on the east and west faces thereof, a copy of the inscription on the corresponding faces of the original, as stated in the archives of the two States; and on the north and south faces thereof, the following inscriptions, respectively, viz:

NORTH FACE.	SOUTH FACE.
1869. Latitude of this stone, 40° 15′ 57,″ 9: Longitude, 79° 45′ 54,″ 4: Variation, 2° 35′ W.	1869. Erected by the State of New York and Pennsylvania, 440 feet south of a monument, now dilapidated, on which were the inscriptions on the east and west faces of this monument.

Hon. John V. L. Pruyn, Chancellor, on behalf of the Regents, acting for the State of New York, suggested that other monuments marking the line

between the two States, need examination and renewal, and invited the co-operation of this State in the matter, but as no further authority had been vested in this Department, no action could properly be taken in the premises.

The following exhibit, made in accordance with law, shows in detail the amount of business done in this office during the year ending November 30, 1869, viz:

Work done for which fees have not been received.

1,517 Tracts transferred to counties in which now situate, because of change of county lines since original location.

152 Actual settlements and warrants examined and entered on dockets.

138 Accounts involving examination of all records and office papers relating thereto, calculated and added to office dockets.

9,476 Accounts embracing warrants, applications, special liens and mortgages, transcribed from descriptive lists into "office land lien dockets."

22,479 Tracts upon which surveys have been returned, number of warrant, name of warrantee, date of warrant, quantity applied for, where located, quantity of acres returned, number of acres unpatented, rate at which land was sold, rate per cent. of interest and when it commenced, where each account is found, amount paid on account, when paid, amount due, fees, aggregate amount due 1st June, 1868, transcribed from office land lien dockets to county land lien dockets.

21,987 Office rights for tracts upon which no returns of survey have been received, with number of each right, name of applicant, date of application, quantity applied for, where located, rate at which land was sold, rate per cent. of interest and when it commenced, where the account is found, amount paid on each account, and when paid, transcribed from office land lien dockets to county land lien dockets.

562 Town lots transcribed from the office land lien docket to the county land lien dockets.

3,000 Re-examinations, (approximated,) including re-statements in many cases, made of accounts against unpatented lands, before transcribing into county land lien dockets.

66 County land lien dockets compared, certified and forwarded to the prothonotaries of the several counties.

500 Surveys copied and certified under the act of 16th February, 1833, compared and entered in book "G" of such surveys.

945 Entries of warrants copied from Bedford warrant register into new book.

4,813 Names copied into ledger index and compared.
261 Surveys received, calculated, compared with warrants, entered in book of county surveyors' returns, endorsed, numbered and filed.
54 Surveys received, examined, calculated, compared with warrants, entered in book of incorrect surveys and returned for correction.
36 Corrected surveys received, re-examined, calculated, entered in surveyors' list of returns, endorsed, numbered and filed.
5 Releases from the payment of indebtedness issued under the act of 15th April, 1869.
3,430 Letters and applications for official documents and information, received and attended to.
727 Tickets for patenting issued.
701 Patents written and endorsed.
701 Patents recorded and indexed.
234 Warrants written, endorsed and filed.
234 Warrants copied and entered in register.
28 Warrants to accept surveys written, numbered and filed.
961 Certificates of indebtedness directed to State Treasurer.
961 Calculations of certificates of indebtedness.
961 Treasurer's receipts entered.
961 Treasurer's receipts delivered to Auditor General.
12 Monthly statements delivered to Auditor General.
961 Vouchers written, journalized, posted into ledger and indexed.
643 Accounts in ledgers closed.

Work done for which fees have been received and paid into the State Treasury, for the year ending November 30, 1869.

2,161	Copies of surveys	$1,028 50
616	Copies of warrants	308 00
304	Copies of patents	282 25
590	Searches	147 50
264	Connections, embracing 2,996 tracts	803 35
65	Calculations	32 50
77	Copies of applications	48 50
160	Certificates miscellaneous copies	168 85
234	Warrant fees	1,053 00
701	Patent fees, including warrants of acceptance and other fees	8,495 75
		12,369 20

STATEMENT *showing the number of warrants, patents and certificates to the State Treasurer, issued from December* 1, 1868, *to November* 30, 1869, *and the amount of purchase money and fees for warrants, patents, and copying fees received, and liens and mortgages paid during the same period.*

MONTH AND YEAR.	New warrants.....	Patents on warrants.....	Patents on Lazerne certificates	Town lots patented	Excess tickets	Certificates to State Treasurer.....	Liens and mortgages.....	Purchase money...	Warrant, patent & and other fees....	Copying fees.....	Totals.....
1868, December.....	20	57	.....	...	7	85	2	$2,051 58	$669 67	$306 30	$3,027 55
1869, January.....	11	23	.....	...	1	36	.....	704 07	288 50	194 50	1,187 07
" February.....	15	36	.....	...	2	55	.....	856 51	446 67	164 00	1,467 18
" March.....	16	36	.....	...	4	56	.....	774 29	436 50	237 50	1,448 29
" April.....	28	63	.....	3	...	94	.....	2,004 25	794 94	184 50	2,983 69
" May.....	15	48	.....	...	2	65	.....	979 08	691 47	190 65	1,861 20
" June.....	42	53	2	...	...	97	.....	2,276 52	939 85	190 35	3.406 72
" July	9	57	3	5	...	73	....	1,218 93	840 30	275 75	2,334 98
" August	24	72	.....	4	4	102	.....	2,114 41	1,032 08	256 25	3,402 74
" September.....	10	88	.....	...	...	99	.....	1,220 77	1,171 33	308 25	2,700 35
" October.....	23	62	...	4	...	91	1	1,489 63	967 82	228 50	2,685 95
" November.....	21	83	1	1	1	108	....	1,579 76	1,269 62	283 90	3,133 28
Totals.....	234	678	6	17	21	961	3	17,269 80	9,548 75	2,820 45	29,639 00

Purchase money		$17,269 80
Warrant and patent fees.....	$9,548 75	
Copying fees	2,820 45	
		12,369 20
		29,639 00

The total amount of money paid into the Treasury, through this office, for the year ending November 30, shows an excess over that of the previous year, and in the item of warrant, patent and copying fees there is an increase of three thousand three hundred and eighty-three dollars and seventy-six cents, ($3,383 76.)

The following sums, by order of the Board of Commissioners of the Agricultural College Land Scrip Fund, being the interest and premium on $381,500 U. S. and Pennsylvania bonds, (deposited for safe keeping with the Auditor General of the State,) have been paid to the Agricultural College of Pennsylvania, located near Bellefonte, viz:

Jan.	7, 1869.	Interest on $126,000 U. S. 5-20 bonds.....	$3,780 00
	Do.	Premium on above, at 34 per cent...	1,285 20
Feb.	5, 1869.	Interest on $255,000, Pennsylvania State bonds,	7,665 00

July 13, 1869.	Interest on $126,000, U. S. 5-20 bonds.....	$3,780 00
Do.	Premium on above, at 36½ per cent.....	1,379 70
Aug. 21, 1869.	Interest on $255,000, Penna. State bonds.....	7,665 00
	Total disbursements to the Agr'l College during the year..	25,554 90

Respectfully submitted.

JACOB M. CAMPBELL,
Surveyor General.

APPENDIX.

AN ACT

Directing public notice to be given when county land lien dockets are forwarded to the respective counties, and staying proceedings by the Attorney General for one year from the date of forwarding the same.

WHEREAS, The Surveyor General, at an early day, will be prepared to send out the county land lien dockets, containing accounts due the Commonwealth on account of lands, prepared under the act approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four, and the supplement thereto, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight:

And whereas, It is proper that the people owing the State, for or on account of lands, should have notice when the liens therefor are entered in the counties, and that a reasonable time should be given to enable them to liquidate their indebtedness and obtain patents for their lands, before suits shall be brought in such cases by the Attorney General; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That when any county land lien docket, prepared under the foregoing acts, shall be forwarded to any county, the Surveyor General is hereby authorized and directed to cause a notice thereof to be given in one English newspaper, published at the county seat of such county, and also in one German newspaper, if there be one in said county, setting forth that the land lien docket for that county has been forwarded to the prothonotary thereof: *Provided*, That no greater sum than ten dollars shall be paid for such notice or advertisement for any one county; and on evidence being submitted to the Auditor General that such advertisement has been authorized by the Surveyor General, and inserted at the usual rates of advertising, he shall draw his warrant on the Treasury in favor of the editor or publisher inserting the same.

SECTION 2. That no suit or suits shall be entered or instituted by the Attorney General, under the provisions of the seventh section of the act of the twentieth of May, Anno Domini one thousand eight hundred and sixty-

four, until one year shall have elapsed from the date at which the Surveyor General shall have forwarded to each county, respectively, the land lien docket for the same.

JOHN CLARK,
Speaker of the House of Representatives.

WILMER WORTHINGTON,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

A FURTHER SUPPLEMENT

To an act directing the entry of liens for the principal and interest due to the Commonwealth for lands held by virtue of locations or other office titles, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

WHEREAS, An examination of warrants and returns of survey show in many cases interferences in said returns, and in many instances where patents have issued on some of said surveys there are balances due upon other warrants covering the same land; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever satisfactory evidence shall be given to the Surveyor General that a lien or liens have been entered against lands for which the Commonwealth has been fully paid, both for land and patent fees, he is hereby authorized, and it shall be his duty, to give to the party or parties applying for the same a release of said lien or liens, so far as said patented lands are concerned; which said release may be entered on the land lien docket, in accordance with the provisions of the supplement to the act of which this is a further supplement, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight.

JOHN CLARK,
Speaker of the House of Representatives.

WILMER WORTHINGTON,
Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

As many persons will apply for releases under the provisions of this law, it is deemed proper to state what will be regarded as satisfactory

evidence by this Department: Applicants, in order to avail themselves of the act, should cause a plot or survey of the patented tracts, and the unpatented interfering tracts, (showing the manner in which, and to what extent, they cover the same land,) to be made by the county surveyor, who will certify that he has made the same, at the request of A, B and C—the owners of the patented tracts, or parts of tracts, or their agents or attorney—giving names of warrantees and dates of warrants and patents, and names and dates of warrants of the unpatented lands, and that he believes the interference or interferences to be as delineated by him. On a paper appended to the above plot of surveys, the applicant or applicants, his or their agent or attorney, will be required to make an affidavit that the interferences are believed to be as delineated by the county surveyor. A release will then issue to the owner or owners of the patented tract or tracts, relieving them from any and all liability to pay the lien of the Commonwealth entered against such interfering unpatented tract or tracts.

A SUPPLEMENT

To an act, entitled "An Act relative to the election of Auditor General, Surveyor General and county surveyors by the people," approved April ninth, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the persons now or hereafter holding the office of county surveyor shall continue to hold and exercise all the duties appertaining to said office, until their successors are duly qualified according to the provisions of the act to which this is a supplement.

JOHN CLARK,
Speaker of the House of Representatives.

WILMER WORTHINGTON,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

AN ACT

Relative to returns of surveys to the office of the Surveyor General.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is*

hereby enacted by the authority of the same, That so much of the second section of the act approved the sixth day of April, Anno Domini one thousand eight hundred and thirty, as restricts returns of surveys on warrants thereafter to be issued, to an amount not greater than ten per centum beyond the number of acres for which the warrant issued, be and the same is hereby repealed: *Provided*, That any excess which may be returned under the provisions of prior laws shall be paid at the time of making such return of survey to the Surveyor General, otherwise the same shall not be accepted.

JOHN CLARK,
Speaker of the House of Representatives.

WILMER WORTHINGTON,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

AN ACT

Directing the entry of liens for the principal and interest due the Commonwealth, for lands held by virtue of locations, or other office titles.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be the duty of the Surveyor General to make out a list of all lands held by location, or any other office right, issued from the Land Department of this Commonwealth, of every kind and description, upon which no patents have issued, designating the county in which such lands are situated, with such other descriptions of the same as the records of his office will enable him to give, including the names in which such locations or other office rights are entered, and surveys have been returned; and on the list being completed, or any part thereof, be transmitted to the prothonotary of the county in which such lands are situated.

SECTION 2. That it shall be the duty of the Surveyor General to calculate the amount of purchase money, interest and fees, due on each unpatented tract; and after the descriptions of said tracts have been transmitted to the prothonotaries of the respective counties, and entered as hereinafter provided, the amounts so found to be due, together with five dollars for the labor and costs of making out and filing, shall form an aggregate sum, which shall be entered in a lien docket to be provided and kept for that purpose; and said sum shall bear interest at the rate of six per cent.

SECTION 3. That it shall be the duty of the prothonotary of each county, upon receiving any descriptive list as aforesaid, to provide a suitable docket, with a proper index, for the purpose of recording all such descriptions of unpatented lands, and shall accurately record the same and index the name of the original warrantee or actual original settler, as the case may be, and each subsequent owner so far as ascertained, and preserve the same among the records of the county: *Provided*, That when any party in interest, by petition under oath or affirmation, setting out the facts in the case as in affidavit of defence, shall represent to the president judge of the court of common pleas of the county in which any tract or piece of land, against which the entry directed in the foregoing section has been made, or the principal part thereof, may lie, that said tract has been patented, either in the name against which the entry is made, or in any other name, the said judge shall, after such notice to the Surveyor General as he shall deem proper, proceed to hear the case of the petitioner; and the said judge shall, thereupon, make such decree in the premises, either by directing the said entry to be struck from the record, or such other order as to said entry, and also as to costs, as may seem equitable.

SECTION 4. That it shall be the duty of the prothonotary of each county, upon receiving from the Surveyor General any such list or calculation of amounts due the Commonwealth for purchase money, interest and fees, to provide a suitable docket, with index, in the form of the lien dockets now in use in the several counties of this Commonwealth, to be styled "Lien Docket of Unpatented Lands," and enter therein the amount so found to be due, which sum shall remain a lien upon such tract or tracts until paid; and that a fee of fifty cents be paid to the prothonotary for each description so entered, and that he be allowed the same fees on the liens entered as are now allowed on judgments entered by warrant of attorney in the court of common pleas.

SECTION 5. That it shall be the duty of the prothonotary, upon receiving any such descriptive list, to cause the same to be published in two newspapers, in the county where such lands are located, for three successive weeks; for which publication he shall be authorized to pay fifty cents for each tract, and charge the same as costs on the lien docket, and retain his fees and costs out of any moneys in his hands due the Commonwealth.

SECTION 6. The amounts which may be due to the Commonwealth on the lands mentioned in the first section of this act, may be paid in accordance with the existing laws in relation to such lands, if the same be paid prior to the first day of November next: *Provided*, That any costs which may have accrued, in accordance with the provisions of this act, shall also be paid; and that the act to graduate lands on which money is due and unpaid to the Commonwealth of Pennsylvania, approved April tenth, Anno Domini

one thousand eight hundred and thirty-five, be revived and continued in force until the said first day of November next; and any survey and appraisements made since the first day of August last, shall have the same validity for the issuing of patents thereon, as if the last mentioned law had been still in full force.

SECTION 7. That all liens due the Commonwealth for unpatented lands, after the first day of November, Anno Domini one thousand eight hundred and sixty-four, may be proceeded upon by the Attorney General of the Commonwealth, in the manner directed to be pursued against defaulting public officers, by the act of April sixteenth, one thousand eight hundred and forty-five, and the supplement thereto.

SECTION 8. All persons in the military and naval service of the United States shall be allowed one year after the expiration of said service, for the taking out of any patent or patents under the provisions of this act.

SECTION 9. That hereafter the patent fee, on town lots not exceeding one-fourth of an acre, shall be one dollar, and on lots not exceeding two acres, five dollars.

HENRY C. JOHNSON,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

NOTE.—The ninth section since made to read one-third of an acre, by a supplement, approved twenty-fourth of August, one thousand eight hundred and sixty-four.

A SUPPLEMENT

To an act directing the entry of liens for the principal and interest due the Commonwealth for lands held by virtue of location or other office titles, approved the twentieth day of May, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the descriptive lists provided for in said act, it shall be the duty of the Surveyor General to make out and forward to the prothonotaries of the several counties, lien dockets, to be styled "Land Lien Dockets," containing lists of all unpatented and patented lands, situate in the counties respectively, upon which there is money due the Commonwealth, and in all cases where surveys have been returned, to enter therein the amount of purchase money, interest and all

fees due, and said aggregate shall remain a lien on such tract until paid, or otherwise legally discharged: *Provided*, That the several prothonotaries shall be allowed to charge the fees now authorized by law, when any information shall be desired from said record, and for entering any certificate, under the seal of the Surveyor General, setting forth that any lien or part of lien against an unpatented tract has been paid, shall charge the party presenting such certificate a fee of twenty-five cents for entering and filing the same.

SECTION 2. That the fifth section of the act to which this is a supplement, and so much of said act as is inconsistent herewith, be and the same is hereby repealed.

ELISHA W. DAVIS,
Speaker of the House of Representatives.

JAMES L. GRAHAM,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-eight.

JNO. W. GEARY.

DATES *at which the county land lien dockets were forwarded to the prothonotaries of the several counties.*

Name of counties.	When sent.	Name of counties.	When sent.
Bedford	May 6, 1869	Northumberland	May 6, 1869
Berks	"	Schuylkill	"
Bucks	"	Fulton	"
Bradford	"	Tioga	May 25, 1869
Greene	"	Somerset	"
Lancaster	"	Union	June 22, 1869
Lycoming	"	Fayette	"
Lebanon	"	Westmoreland	"
Potter	"	Lehigh	"
Susquehanna	"	Adams	"
Chester	"	Carbon	"
Columbia	"	Pike	"
Dauphin	"	Monroe	"
Delaware	"	Northampton	"
Franklin	"	Wayne	"
Montgomery	"	Clinton	"
Montour	"	York	July 17, 1869

Name of counties.	When sent.
Indiana	July 17, 1869
Washington	"
Centre	"
Venango	"
Clarion	"
Jefferson	"
Armstrong	"
Beaver	Aug. 12, 1869
Butler	"
Mercer	"
Lawrence	"
Crawford	"
Erie	"
Cumberland	"
Perry	"
Juniata	"
Snyder	Aug. 12, 1869
Warren	"
Huntingdon	Sept. 8, 1869
Sullivan	"
Wyoming	"
Mifflin	Sept. 14, 1869
Blair	Sept. 22, 1869
Allegheny	Oct. 22, 1869
Clearfield	"
Cambria	Oct. 26, 1869
M'Kean	"
Forest	"
Elk	Nov. 8, 1869
Cameron	"
Philadelphia	Nov. 27, 1869
Luzerne	"

PATENTS.

The following regulations relative to issuing patents are published for the information and guidance of owners of unpatented lands:

I The patent must issue to the actual owner of the land or party holding title under the warrantee, or to the executors, trustees, or heirs and legal representatives of the person in whom title was vested at death, or to the guardians of minor children of the deceased.

II. Warrantees who remain the owners of the land warranted and surveyed to them, can obtain patents in their own names (if no caveat remains undetermined) without furnishing any brief or statement of title, upon payment of back purchase money, interest and fees.

III. Executors, trustees and guardians representing the warrantee, or his heirs, who apply for patents, should produce evidence of their appointment as such.

IV. When the land has passed out of the ownership of the original warrantee, or party who took out the office right, the applicant for patent will be required to furnish evidence of ownership. [See forms Nos. 7 and 8 of this report.]

V. The present owner of a part of a tract of land surveyed in pursuance of any given warrant, desiring to have a patent in his own name, can obtain it by having the county surveyor make return of survey of such part. In making the survey the county surveyor should, besides giving the courses and distances and quantity of acres in the particular part, indicate the whole of the original tract by dotted lines. The applicant will only be required to

pay his proportion of the whole amount due on the tract, with fees. Evidence of ownership to accompany application.

VI. When an unpatented original tract has been sold and sub-divided, the several present owners may unite in an application for patent and statement of title, and upon payment of amount due, with patent and other fees, a patent will issue to them, the said applicants, their heirs and assigns, according to their respective rights and interests, without setting forth the particular interest of each.

VII. In cases where it is difficult to submit the evidence of title required by this office in order to obtain a patent, any one or more of the owners of an unpatented tract can, through this Department, discharge the lien against said tract by the payment of the purchase money, interest and fees shown to be due by the land lien docket, and the interest since accrued, and a patent can at any time afterwards issue to those entitled to it upon proof of ownership.

VIII. The accounts in the lien docket are calculated to June 1, 1868. If to the amount due, as shown in its proper column, there be added the interest accruing from June 1, 1868, to the date of forwarding the docket to the prothonotary, at the rate given in the column of rate per cent. of interest, and on this sum, including the fees, (or when fees only are due,) interest be calculated at the rate of six per cent. from the time of forwarding the docket until the date of the application for patent, it will give the amount required to procure a patent. (See 2d sect. act of 20th May, 1864.)

A statement of the amount due on any particular tract or tracts, or any other information in relation thereto, will be promptly furnished, on application to this office.

MISCELLANEOUS.

An endorsement, say for example, "Returned, &c., February 22, 1815," which is frequently found on copies of warrants and surveys, does not mean the date at which the return of survey was received at this office, but the date at which the Surveyor General made a return of the tract to the Secretary of the Land Office for patenting. And when such endorsement is found on the back of a copy of a warrant or survey, even after the date at which the office of the Secretary of the Land Office was discontinued, it is an evidence in perhaps more than ninety-nine cases out of one hundred, that the tract is patented. Some exceptions have been found. Why the custom of marking the warrants and surveys thus, when a tract was patented, after the office of the Secretary of the Land Office was abolished on the 17th of April, 1843, is not apparent. This custom was discontinued on 1st of January, 1868, and the endorsement, "Patented to ————, 18—," substituted.

A mistaken idea, prevalent with many people not familiar with the Surveyor General's office, is that the Department has connected drafts, showing the location of every tract of land surveyed in the several counties, and that therefore whatever of vacant land there may be in the State, can be readily found out at this office, and that information can, without difficulty, be given as to the adjoining surveys of any named tract, without advising the Department of the names and dates of the warrants upon which such surveys were made. Had the lands of the Commonwealth been first surveyed, and afterwards sold, this idea would have been correct; but the very reverse was the fact, for the lands were sold and warrants for subsequent surveys issued. And because of this policy the Department has only single and unconnected copies of the surveys. Unless a given survey calls for warrantee adjoiners, it would be a work altogether out of proportion to the fees allowed, to undertake to search out all the warrants and surveys, perhaps for a whole county, in order to find the adjoining tracts, or search for a supposed vacant piece of land; but the task is a comparatively easy one when the party seeking the information learns, as he can more readily do from the county surveyor, or persons in the neighborhood, the names of all the surrounding warrantees and dates of warrants, and communicates that data to this office.

It will be observed, from the foregoing, that in communicating with the Department, it is of the first importance to give the name of the warrantee and date of warrant of the survey or patent about which inquiry is made; but when the date of warrant cannot be given, the party asking for official copies or information should give quantity of acres, location, and any other data in his possession that will aid in searching for the tract.

Frequently applications for warrants for land, made out in due form, are sent to the office unaccompanied by the purchase money and warrant fee. Of course the warrants cannot issue until the proper amount of money is paid into the State Treasury, and the applications thus made gain no priority over others that might be made for the same lands, until all the requirements of law are complied with.

The law does not contemplate that credit should be given on account of fees for searches and official copies, and therefore it is suggested that in order to save correspondence, and insure more speedy attention, the proper amount of fees should be sent with each order. If too much is forwarded, the surplus will be promptly returned with the official papers asked for.

BOARD OF PROPERTY.

A Board of Property, consisting of the Attorney General, Secretary of the Commonwealth and Surveyor General, is authorized by law. "Their powers are to hear and determine in all cases of controversy on caveats, in all matters of difficulty or irregularity touching escheats, warrants on escheats, warrants to agree, rights of pre-emption, promises, imperfect titles or otherwise, which heretofore have, or hereafter may arise in transacting the business of the Land Office."

PRESENT BOARD.

F. Carroll Brewster, *Attorney General.*

Fr. Jordan, *Secretary of the Commonwealth.*

Jacob M. Campbell, *Surveyor General.*

The stated meetings of the board will be held on the second Wednesday of every alternate month, to wit: February 9th, April 13th, June 8th, August 10th, October 12th, and December 14th, 1870. All communications for the consideration of the board should be addressed to the Surveyor General.

Note.—No particular form of caveat is required, but the survey or other office right against which it is entered, together with the reasons for filing the same, should be distinctly stated. After the caveat has been entered, if not more than two years have elapsed before proceeding thereon, either party may apply for a citation to bring the matter in controversy before the board, and after citation issues must give the opposing party thirty days' notice of the time fixed for hearing the case; and either desiring to take depositions to be read in evidence, must give the other at least ten days' notice of the time and place, and before whom they are to be taken.

All other matters, within the powers of the board to hear and determine, should be brought before it by petition.

A circular letter, containing the following suggestions, has been sent each of the county surveyors, and is inserted for the information of those who may be interested:

1. You will faithfully execute every warrant that may be directed to you from this office, to the best of your skill, knowledge and understanding, according to the direction of such warrant. But before you make return of any lands by you surveyed on new warrants, endeavor to be satisfied that no warrant or other office right of an earlier date has been located on the same land, and on your return certify whether the lands have been improved, and for how many years. If no vacant land is found at the place desig-

nated by the calls of the warrant, and you are therefore unable to make return of survey of any unappropriated land, you will certify that fact to this office, setting forth by whom and under what tenure or prior right the land is held.

2. You will, in no case, execute warrants on any other land than that which they particularly describe; and in order that your returns of survey may appear to be so executed, it will be necessary for you to be particularly attentive to the *adjoiners mentioned in the warrant;* and where there has been any change in them between the issuing and executing of the warrant, it should be noted in your return of survey.

3. You will make a separate return for each warrant or order, issued from this office, within six months after the receipt thereof, with a protracted figure of the survey, exactly performed; taking notice that all streams of water intersecting or crossing the lines of your survey, be distinctly and visibly marked on the draft, at the very place of intersection or crossing, and the distance from the corners expressed on the lines which it crosses; and to mark on your draft, by dotted lines, so much of the adjoining surveys as may serve to show how they connect with your return. Also when surveys are bounded by creeks or rivers, you will set down the courses and distances by the several meanderings, that the contents may be calculated at this office.

4. When you return a part of a tract of land, you will in all cases specify the quantity of acres contained in the whole tract, and on the draft of the survey represent the residue of the tract by dotted lines. But you are in no event to make and return to this office a "re-survey" of a tract either to include more land or to exclude any part, or in anywise alter the original boundary lines thereof, *unless authorized to do so by an order of the Board of Property.* When an order of re-survey has been issued and sent to you for execution, you are to strictly follow the directions therein contained.

5. You may not make use of any chain-carriers but such as are of good character, and who shall have taken a solemn oath (which you are authorized by law to administer) justly and exactly to execute their trust, without favor, partiality or affection.

6. You will not make return of any survey, but such as has actually been made on the ground; and take care that all outlines and boundaries be fairly and visibly marked before you quit the ground.

7. You may make official returns where the surveys have actually been made by your predecessors, provided they be correct, and where they have been located agreeably to the calls of the warrant.

8. Surveys on warrants or other office rights intended to be returned to this office, *must be duly certified by the county surveyor*, and that the cer-

tificates be uniform over the State, use the forms prescribed by this Department.

9. You may return any surplus not exceeding one hundred acres above the quantity mentioned in the warrant, but you will recollect that the price of such surplus land must be first paid into the State Treasury, before the return can be accepted in this office, of which you will give notice to the owners of the warrant, *and always send the money to pay the excess with the return of survey.*

10. All returns to this office should be under cover, directed to me, and your name subscribed on the margin of the paper or envelope enclosing the same.

11. You are to keep your office open within your county, for the reception of all warrants directed to you, which shall be entered in a book, kept for that purpose; distinguishing therein the name of the warrantee, quantity of land granted, date of warrant, and the day when you received it. Also, in another book, you shall keep fair and regular entries in order of time, of all surveys and re-surveys, by you made, in pursuance of any warrant or order of re-survey which you shall receive, with a draft or plot thereof, and field notes annexed.

12. You shall as soon as possible after the receipt of these instructions, notify this Department of the place where you may keep your office, together with your post office address.

13. You will be particularly careful in executing warrants granted after the 1st day of June, 1814, and not founded on actual settlement, not to interfere with the rights of settlers, and in all cases where an actual resident settlement is included, note on your return whether it was commenced prior or subsequent to the 28th day of March, 1814.

14. *Nothing must be written on the back of any return of survey, but the name of the warrantee, the name of the county in which located and quantity of acres.* With each return of survey, send the tabling and calculation thereof, *upon a separate paper.*

15. Before you can enter upon the duties of your office, you will have to comply with the seventh section of the act of Assembly, passed the 9th day of April, 1850, which requires you to take an oath or affirmation, which must be administered in the "open" court of quarter sessions, and have a copy of said oath duly certified to this Department; also have your bond recorded in your county, and forward the same to the *Secretary of the Commonwealth*, with seventy-five cents, the fee for filing *the same in his office.*

WARRANTS, SURVEYS AND PATENTS.

A WARRANT or order of survey authorizes only the survey of vacant lands, for they alone belong to the Commonwealth to grant. But whether the lands applied for are vacant or not, the land officers do not undertake to examine and in most instances do not possess the means of ascertaining. Of this the applicant must judge for himself. If he knows them to be appropriated by prior right, it is against conscience to take out a warrant for them, or to have them surveyed as vacant. But he may assert the invalidity of a former grant and insist on a survey. In that case the deputy surveyor ought, if it be known to him, to note it in his books and return of survey.

RETURNS OF SURVEYS.—Having finished the survey and plotted it, the surveyor ought to return it to the office of the Surveyor General. This is an important part of his duty. Many regulations and laws have, from time to time required it, and from its omission frequent disputes have occurred. The deputy surveyor, however, is not obliged to return the survey until his fees and expenses are paid; and if the failure to return is occasioned by the neglect or refusal of the party to defray them, any loss thereby sustained is imputable to him and not to the officer. The regulations of the Proprietaries and the acts of Assembly concur in directing the return to be made on paying for the survey. * * * If the party pays or tenders the fees, it is the duty of the surveyor to return the survey in a convenient time, and the neglect or fraud of the surveyor will not affect his rights. But it lies on the party to show that the want of a return was not occasioned by any default or neglect of his own; and if there is nothing to show that the surveying fees were paid, the inference is that they were not paid. The deputy being a sworn officer, is, *prima facie*, presumed to have done his duty.

THE PATENT is a deed from the Commonwealth, under its great seal, conveying to the grantee all its right in the land, describing it by metes and bounds, and passes, as respects the Commonwealth, the complete legal title, all the preparatory measures of warrant, application, survey and acceptance being merged in the patent. As to third persons, it is *prima facie* evidence that all the previous requisites had been complied with. Before it issues, the purchase money due [and the patent fee] must always be paid; and the land is thenceforth discharged from the lien which till then existed. Generally, the grantee is concluded by the lines and boundaries described in the patent, though perhaps in a special case there might be an exception.

Third persons claiming by warrant, application, settlement or otherwise, may show that the patent was wrongfully issued to the patentee, or rather that he is trustee for him who has the right; the material condition being, not who has the patent, but to whom it ought to have been granted. For the land officers, in issuing the patent, act merely in a ministerial capacity, and cannot

change the rules of law or rights of parties. And even though he who has the patent sell to a *bona fide* purchaser without notice, the vendee is in no better situation. His claim under the patent may be contested by one having a better right by settlement, warrant or location. These titles are not equities within the ordinary rule of being unavailing against the purchaser of the legal title. A patent founded on a fraudulent survey, or obtained by misrepresentation and deceit, is void against third persons affected by it.

The patent, however, has always been received in evidence in the first instance, to show that the legal title was out of the Commonwealth. The question whether it is good is a subsequent one.—SERGEANT.

PRICES OF LANDS IN PENNSYLVANIA AT VARIOUS PERIODS.

PRICES UNDER PENN AND HIS HEIRS.

Previous to the 27th of December, 1762, £15, 10s. ($41 33) per hundred acres, with the exception of a few warrants in the lower counties at £3, 10s. ($9 33) per hundred.

From the 27th of December, 1762, to the 5th of August, 1763, £9 ($24) per hundred acres.

From the 5th of August, 1763, to the 6th of August, 1765, £15, 10s. ($41 33.)

Locations and warrants from the 6th of July, 1765, to the 1st of July, 1784, £5 sterling, ($22 22.)

PRICES UNDER THE COMMONWEALTH.

From the 1st of July, 1784, to the 3d of April, 1792, £10 ($26 66⅔) per hundred acres.

New purchase, 1784.—From the 1st of May, 1785, to the 1st of March, 1789, £30 ($80.)

From the 1st of March, 1789, to the 3d of April, 1792, £20 ($53 33⅓.)

From the 3d of April, 1792, to the 1st of September, 1817, £5 ($13 33⅓) for land in the purchase of 1784, east of the Allegheny river and Conewango creek, unimproved.

Purchase of 1768, *and the previous purchases.*—From the 3d of April, 1792, to the 28th of March, 1814, unimproved, at the rate of fifty shillings ($6 66⅔) per hundred acres.

Lands in the purchase of 1784, lying north and west of the rivers Ohio and Allegheny, and Conewango creek, £7, 10s. ($20.)

Undrawn donation lands, from the 1st of October, 1813, at the rate of $1 50 per acre.

Donation lands reduced, from the 25th of February, 1819, to fifty cents per acre.

From the 21st of March, 1814, lands within the purchase of 1768, and the previous purchases, to be at the rate of £10 ($26 66⅔) per hundred acres.

From the 1st of September, 1817, lands within the purchase of 1784, east of the Allegheny river and Conewango creek, at the rate of £10, ($26 66⅔,) except such as have been settled on, agreeably to the act of the 3d of April, 1792, between said 3d of April and 1st of September, 1817.

Seventeen townships in Luzerne county—Price fixed by the commissioners: First class, $2 per acre; second class, $1 20; third class, 50 cents; fourth class, 8¼ cents.

PRESENT PRICE.

The present price of all vacant and unimproved land is now at the rate of £10 ($26 66⅔) per hundred acres, except the following:

Lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek, $20 per hundred acres.

Reserve tracts near Erie, Waterford, &c., price fixed by commissioners.

Lands improved agreeably to the act of the 3d of April, 1792, fifty shillings, ($6 66⅔,) and £5 ($13 33⅓) per hundred acres.

Lands held by Virginia warrants in the south-west part of the State—the warrants show the terms. (Lands were taken under Virginia warrants as low as ten shillings per hundred acres.

It is the practice in the Land Office to charge for the *excess* of land above *ten per cent.* on fifty shilling warrants, at the rate of £10 per hundred acres.

WARRANT AND PATENT FEES.

Fee for warrant, $4 50; for patent, $10, except town lots under one-third of an acre, which are $1, and lots over one-third, and not exceeding two acres, which are $5.

TABLES.

Showing the price of from one acre to five hundred acres of Land of the various rates prescribed by the Proprietary and by the Commonwealth.

Warrants at £15 10*s. per cent.*, 2 *per cent. interest.*

Acres...	Dollars..	Cents...	Acres...	Dollars..	Cents...	Acres...	Dollars..	Cents...	Perches.	Cents...	Perches.	Cents...
1		41	37	15	29	73	30	17	4	1	90	22
2		83	38	15	70	74	30	58	8	2	95	23
3	1	24	39	16	12	75	31	00	12	3	99	24
4	1	65	40	16	53	76	31	41	17	4	103	25
5	2	07	41	16	94	77	31	82	21	5	107	26
6	2	48	42	17	36	78	32	24	25	6	111	27
7	2	89	43	17	77	79	32	65	29	7	115	28
8	3	31	44	18	18	80	33	06	33	8	119	29
9	3	72	45	18	60	81	33	48	37	9	123	30
10	4	13	46	19	01	82	33	89	41	10	127	31
11	4	54	47	19	42	83	34	30	45	11	131	32
12	4	96	48	19	84	84	34	72	49	12	135	33
13	5	37	49	20	25	85	35	13	53	13	139	34
14	5	78	50	20	66	86	35	54	57	14	143	35
15	6	20	51	21	08	87	35	96	62	15	147	36
16	6	61	52	21	49	88	36	37	66	16	152	37
17	7	02	53	21	90	89	36	78	70	17	156	38
18	7	44	54	22	32	90	37	20	74	18	160	39
19	7	85	55	22	73	91	37	61	78	19	164	40
20	8	27	56	23	14	92	38	02	82	20	169	41
21	8	68	57	23	56	93	38	44	86	21		
22	9	09	58	23	97	94	38	85				
23	9	50	59	24	38	95	39	26				
24	9	92	60	24	80	96	39	68				
25	10	33	61	25	21	97	40	09				
26	10	74	62	25	62	98	40	50				
27	11	16	63	26	04	99	40	92				
28	11	57	64	26	45	100	41	33				
29	11	98	65	26	86	200	82	67				
30	12	40	66	27	27	300	124	00				
31	12	81	67	27	69	400	165	33				
32	13	22	68	28	10	500	206	67				
33	13	64	69	28	52							
34	14	05	70	28	93							
35	14	46	71	29	34							
36	14	88	72	29	76							

Warrants at £10 per cent., 3 per cent. interest.

Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Per's.	Cts.
1		26	27	7	20	53	14	13	79	21	07	6	1
2		53	28	7	47	54	14	40	80	21	33	13	2
3		80	29	7	73	55	14	67	81	21	60	19	3
4	1	06	30	8	00	56	14	93	82	21	87	25	4
5	1	33	31	8	27	57	15	20	83	22	14	32	5
6	1	60	32	8	53	58	15	47	84	22	41	38	6
7	1	87	33	8	80	59	15	73	85	22	67	45	7
8	2	13	34	9	07	60	16	00	86	22	93	51	8
9	2	40	35	9	33	61	16	27	87	23	20	57	9
10	2	67	36	9	60	62	16	53	88	23	47	64	10
11	2	93	37	9	87	63	16	80	89	23	73	70	11
12	3	20	38	10	13	64	17	07	90	24	00	76	12
13	3	47	39	10	40	65	17	33	91	24	27	83	13
14	3	73	40	10	67	66	17	60	92	24	53	89	14
15	4	00	41	10	93	67	17	87	93	24	80	96	15
16	4	27	42	11	20	68	18	13	94	25	07	102	16
17	4	53	43	11	47	69	18	40	95	25	33	108	17
18	4	80	44	11	73	70	18	67	96	25	60	114	18
19	5	07	45	12	00	71	18	93	97	25	87	121	19
20	5	33	46	12	27	72	19	20	98	26	13	127	20
21	5	60	47	12	53	73	19	47	99	26	40	134	21
22	5	87	48	12	80	74	19	73	100	26	67	140	22
23	6	13	49	13	07	75	20	00	200	53	33	146	23
24	6	40	50	13	33	76	20	27	300	80	00	153	24
25	6	67	51	13	60	77	20	53	400	106	67	159	25
26	6	93	52	13	87	78	20	80	500	133	33	165	26

Warrants at £9 Currency per cent., 3 per cent. interest.

Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Per's.	Cts.
1		24	27	6	48	53	12	72	79	18	96	7	1
2		48	28	6	72	54	12	96	80	19	20	14	2
3		72	29	6	96	55	13	20	81	19	44	21	3
4		96	30	7	20	56	13	44	82	19	68	28	4
5	1	20	31	7	44	57	13	68	83	19	92	35	5
6	1	44	32	7	68	58	13	92	84	20	16	42	6
7	1	68	33	7	92	59	14	16	85	20	40	49	7
8	1	92	34	8	16	60	14	40	86	20	64	56	8
9	2	16	35	8	40	61	14	64	87	20	88	64	9
10	2	40	36	8	64	62	14	88	88	21	12	71	10
11	2	64	37	8	88	63	15	12	89	21	36	78	11
12	2	88	38	9	12	64	15	36	90	21	60	85	12
13	3	12	39	9	36	65	15	60	91	21	84	92	13
14	3	36	40	9	60	66	15	84	92	22	08	99	14
15	3	60	41	9	84	67	16	08	93	22	32	106	15
16	3	84	42	10	08	68	16	32	94	22	56	113	16
17	4	08	43	10	32	69	16	56	95	22	80	120	17
18	4	32	44	10	56	70	16	80	96	23	04	127	18
19	4	56	45	10	80	71	17	04	97	23	28	134	19
20	4	80	46	11	04	72	17	28	98	23	52	141	20
21	5	04	47	11	28	73	17	52	99	23	76	148	21
22	5	28	48	11	52	74	17	76	100	24	00	155	22
23	5	52	49	11	76	75	18	00	200	48	00	163	23
24	5	76	50	12	00	76	18	24	300	72	00	169	24
25	6	00	51	12	24	77	18	48	400	96	00		
26	6	24	52	12	48	78	18	72	500	120	00		

Lands at £5 Sterling per cent., 3½ per cent. interest.

Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Per's.	Cts.
1		22	28	6	22	55	12	22	82	18	22	8	1
2		44	29	6	44	56	12	44	83	18	44	15	2
3		67	30	6	67	57	12	67	84	18	67	23	3
4		89	31	6	89	58	12	89	85	18	89	31	4
5	1	12	32	7	11	59	13	11	86	19	11	38	5
6	1	33	33	7	33	60	13	33	87	19	33	46	6
7	1	56	34	7	56	61	13	56	88	19	56	53	7
8	1	78	35	7	78	62	13	78	89	19	78	61	8
9	2	00	36	8	00	63	14	00	90	20	00	69	9
10	2	22	37	8	22	64	14	22	91	20	22	76	10
11	2	44	38	8	44	65	14	44	92	20	44	84	11
12	2	67	39	8	67	66	14	67	93	20	67	92	12
13	2	89	40	8	89	67	14	89	94	20	89	99	13
14	3	11	41	9	11	68	15	11	95	21	11	107	14
15	3	33	42	9	33	69	15	33	96	21	33	114	15
16	3	56	43	9	56	70	15	56	97	21	56	122	16
17	3	78	44	9	78	71	15	78	98	21	78	130	17
18	4	00	45	10	00	72	16	00	99	22	00	138	18
19	4	22	46	10	22	73	16	22	100	22	22	145	19
20	4	44	47	10	44	74	16	44	110	24	44	153	20
21	4	67	48	10	67	75	16	67	125	27	78	160	21
22	4	89	49	10	89	76	16	89	200	44	44	168	22
23	5	11	50	11	11	77	17	11	300	66	66	169	22
24	5	33	51	11	33	78	17	33	400	88	88		
25	5	56	52	11	55	79	17	56	500	111	10		
26	5	78	53	11	77	80	17	78					
27	6	00	54	12	00	81	18	00					

Lands at £7 10s. per cent., or $20, 3½ per cent. interest.

Acres.	Dolls	Cts.	Acres	Dolls.	Cts.	Acres.	Do ll.	Cts.	Acres.	Dolls.	Cts.	Per's.	Cts.
1		20	27	5	40	53	10	60	79	15	80	8	1
2		40	28	5	60	54	10	80	80	16	00	16	2
3		60	29	5	80	55	11	00	81	16	20	24	3
4		80	30	6	00	56	11	20	82	16	40	32	4
5	1	00	31	6	20	57	11	40	83	16	60	40	5
6	1	20	32	6	40	58	11	60	84	16	80	48	6
7	1	40	33	6	60	59	11	80	85	17	00	56	7
8	1	60	34	6	80	60	12	00	86	17	20	64	8
9	1	80	35	7	00	61	12	20	87	17	40	72	9
10	2	00	36	7	20	62	12	40	88	17	60	80	10
11	2	20	37	7	40	63	12	60	89	17	80	88	11
12	2	40	38	7	60	64	12	80	90	18	00	96	12
13	2	60	39	7	80	65	13	00	91	18	20	104	13
14	2	80	40	8	00	66	13	20	92	18	40	112	14
15	3	00	41	8	20	67	13	40	93	18	60	120	15
16	3	20	42	8	40	68	13	60	94	18	80	128	16
17	3	40	43	8	60	69	13	80	95	19	00	136	17
18	3	60	44	8	80	70	14	00	96	19	20	144	18
19	3	80	45	9	00	71	14	20	97	19	40	152	19
20	4	00	46	9	20	72	14	40	98	19	60	160	20
21	4	20	47	9	40	73	14	60	99	19	80		
22	4	40	48	9	60	74	14	80	100	20	00		
23	4	60	49	9	80	75	15	00	200	40	00		
24	4	80	50	10	00	76	15	20	300	60	00		
25	5	00	51	10	20	77	15	40	400	80	00		
26	5	20	52	10	40	78	15	60	500	100	00		

Warrants at £5 Currency, 4 per cent. interest.

Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Per's.	Cts.
1		13	28	3	73	55	7	20	80	10	66	13	1
2		26	29	3	86	56	7	33	81	10	80	25	2
3		40	30	4	00	56	7	46	82			38	3
4		53	31	4	13	57	7	60	83	11	06	50	4
5		66	32	4	26	58	7	73	84	11	20	63	5
6		80	33	4	40	59	7	86	85	11	33	75	6
7		93	34	4	53	60	8	00	86	11	46	88	7
8	1	06	35	4	66	61	8	13	87	11	60	100	8
9	1	20	36	4	80	62	8	26	88	11	73	113	9
10	1	33	37	4	93	63	8	40	89	11	86	125	10
11	1	46	38	5	06	64	8	53	90	12	00	138	11
12	1	60	39	5	20	65	8	66	91	12	13	150	12
13	1	73	40	5	33	66	8	80	92	12	26	163	13
14	1	86	41	5	46	67	8	93	93	12	40	169	13
15	2	00	42	5	60	68	9	06	94	12	53		
16	2	13	43	5	73	69	9	20	95	12	66		
17	2	26	44	5	86	70	9	33	96	12	80		
18	2	40	45	6	00	71	9	46	97	12	93		
19	2	53	46	6	13	72	9	69	98	13	06		
20	2	66	47	6	26	73	9	72	99	13	20		
21	2	80	48	6	40	74	9	86	100	13	33		
22	2	93	49	6	53	75	10	00	150	20	00		
23	3	06	50	6	66	76	10	13	200	26	66		
24	3	20	51	6	80	77	10	26	300	40	00		
25	3	33	52	6	93	78	10	40	400	53	33		
26	3	46	53	7	06	79	10	53	500	66	67		
27	3	60											

Warrants at 50 Shillings per cent., or $6 67, 6 per cent.

Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Acres.	Dolls.	Cts.	Per's.	Cts.
1		07	28	1	87	55	3	67	82	5	47	25	1
2		13	29	1	93	56	3	73	83	5	53	51	2
3		20	30	2	00	57	3	80	84	5	60	76	3
4		27	31	2	07	58	3	87	85	5	67	102	4
5		33	32	2	13	59	3	93	86	5	73	127	5
6		40	33	2	20	60	4	00	87	5	80	152	6
7		47	34	2	27	61	4	07	88	5	87	169	6
8		53	35	2	33	62	4	13	89	5	93		
9		60	36	2	40	63	4	20	90	6	00		
10		67	37	2	47	64	4	27	91	6	07		
11		73	38	2	53	65	4	33	92	6	13		
12		80	39	2	60	66	4	40	93	6	20		
13		87	40	2	67	67	4	47	94	6	27		
14		93	41	2	73	68	4	53	95	6	33		
15	1	00	42	2	80	69	4	60	96	6	40		
16	1	07	43	2	87	70	4	67	97	6	47		
17	1	13	44	2	93	71	4	73	98	6	53		
18	1	20	45	3	00	72	4	80	99	6	60		
19	1	27	46	3	07	73	4	87	100	6	67		
20	1	33	47	3	13	74	4	93	150	10	00		
21	1	40	48	3	20	75	5	00	200	13	33		
22	1	47	49	3	27	76	5	07	250	16	66		
23	1	53	50	3	33	77	5	13	300	20	00		
24	1	60	51	3	40	78	5	20	400	26	67		
25	1	67	52	3	47	79	5	27	500	33	33		
26	1	73	53	3	53	80	5	33					
27	1	80	54	3	60	81	5	40					

FORMS.

FORM No. 1.

FORM OF APPLICATION FOR LAND ON WHICH A SETTLEMENT HAS BEEN MADE.

—— ———, of the township of ———, in the county of———, applies for ———acres of land, situate in said township and county, adjoining lands of —— ——— on the east, —— ——— on the south, —— ——— on the west, and—— ——— on the north.

—— ———

To the Surveyor General.

———

——— *County, ss:*

Before us, the subscribers, two of the justices of the peace in and for said county, personally came —— ———, a disinterested witness, and being sworn agreeably to law, did depose and say, that to his certain knowledge, the above described tract of land was first improved in the month of ———, A. D. ———, and not before; that grain had been raised thereon, and that the said —— ——— and family are now settled and reside on the same tract of land, and has continued to reside thereon ever since the —— day of ———, A. D. ——.

—— ———.

Sworn and subscribed this —— day of ——— A. D. ——, before us.

A—— B———, *J. P.*

C—— D———, *J. P.*

———

——— *County, s*

Before me, the subscriber, a justice of the peace in and for said county, personally came —— ———, the above named applicant, who being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, no warrant or other office right was issued for the land above described, either in his own name, or in the name or names of and person or persons under whom he claims the same.

—— ———.

Sworn and subscribed before me, this —— day of ——, A. D. ——.

E—— F———, *J. P.*

☞This last certificate is not necessary in the purchase of 1784, embracing the counties of Erie, Crawford, Mercer, Lawrence, Butler, Venango, Clarion, Jefferson, Forest, Warren, Elk, Cameron, M'Kean, Potter and Tioga; Bradford county west of the Susquehanna and north of Towanda creek; Lycoming west of Pine creek; Clinton and Clearfield north of the West Branch of the Susquehanna; Indiana and Armstrong north of a line drawn from Canoe Place to Kittanning, and thence down the Allegheny river; Allegheny north of the Ohio and Allegheny rivers, and Beaver north of the Ohio river.

FORM No. 2.

FORM OF APPLICATION FOR LAND WHICH HAS BEEN IMPROVED BUT NOT SETTLED ON.

—— ———, of the township of ———, in the county of ———, applies for ——— acres of land, situate in said township and county, adjoining lands of —— ——— on the east, —— ——— on the south, —— ——— on the west, and —— ——— on the north.

—— ———.

To the Surveyor General.

———

——— *County, ss:*

Before us, the subscribers, two of the justices of the peace in and for said county, personally came —— ———, a disinterested witness, who being sworn according to law, did depose and say, that to his certain knowledge, the land above described was first improved in the month of ———, A. D. ——, and not before.

—— ———.

Sworn and subscribed before us, this — day of ———, A. D. ——.

A—— B———, *J. P.*

C—— D ———, *J. P.*

———

——— *County, ss:*

Before me, the subscriber, a justice of the peace in and for said county, personally came —— ———, the above named applicant, who being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, no warrant or other office right was issued for the land above described, either in his own name or in the name or names of any person or persons under whom he claims the same.

—— ———.

Sworn and subscribed before me, this — day of ———, A. D. ——.

E—— F———, *J. P.*

☞This last certificate is not necessary in the purchase of 1784.

FORM No. 3.

FORM OF APPLICATION FOR UNIMPROVED LAND.

—— ———, of the township of ———, in the county of ———, applies for —— acres of land, situate in said township and county, adjoining lands of —— ——— on the east, —— ——— on the south, —— ——— on the west, and —— ——— on the north.

—— ———.

To the Surveyor General.

———

——— *County, ss:*

Before us, the subscribers, two of the justices of the peace in and for said county, personally came —— ———, a disinterested witness, who being sworn according to law, did depose and say, that to his certain knowledge, the land described in the above application is unimproved, and as he verily believes, not heretofore claimed by any other person.

—— ———.

Sworn and subscribed before us, this — day of———, A. D.——.

A—— B———, *J. P.*

C—— D———, *J. P.*

———

——— *County, ss:*

Before me, the subscriber, a justice of the peace in and for said county, personally came —— ———, the above named applicant, who being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, no warrant or other office right was issued for the land above described, either in his own name, or in the name or names of any person or persons under whom he claims the same.

—— ———.

Sworn and subscribed before me, this — day of ———, A. D. ——.

E—— F———, *J. P.*

☞ This last certificate is not necessary in the purchase of 1784.

FORM No. 4.

FORM OF APPLICATION FOR LAND NORTH AND WEST OF THE OHIO AND ALLEGHENY RIVERS AND CONEWANGO CREEK, ON WHICH AN ACTUAL SETTLEMENT AND IMPROVEMENT HAS BEEN MADE.

A—— B——, of the township of ———, in the county of ———, applies for a patent for ——— acres ——— perches of land, lying north and west of the rivers Ohio and Allegheny and Conewango creek, situate in the township of ———, in the county of ———, adjoining lands of —— —— on the north, —— —— on the south, —— —— on the east, and —— —— on the west, on which an actual settlement and improvement has been made.

A—— B———.

To the Surveyor General.

———

——— *County, ss:*

Before the subscribers, two of the justices of the peace in and for said county, personally came C—— D——, a disinterested witness, who being sworn according to law, deposes and saith, that to his certain knowledge, the above described and applied for land was first improved by —— ———, on the —— day of ———, A. D.———, that he erected a house and other buildings thereon, fit for the habitation of man, that the said —— —— has resided thereon with his family, since the —— day of ———, and is now residing thereon, and that he has cleared and cultivated at least —— acres of the same.

C—— D———.

Sworn and subscribed before me, this — day of ——— A. D. ——.

G—— H———, *J. P.*

J—— L———, *J. P.*

———

I, E—— F———, County Surveyor, in and for the county of ———, do hereby certify, that from the survey books and other official documents in my possession, the above described and applied for tract of land does not appear to have been surveyed or appropriated to any other person than the said applicant, or any other person under whom he claims the same by warrant or otherwise.

In witness whereof, I have hereunto set my hand, this —— day of ———, A. D. ——.

E—— F———, *County Surveyor.*

FORM No. 5.

FOR RETURN OF AN ORIGINAL SURVEY.

Draft of a tract of land containing —— acres, —— perches and allowance of six per cent. for roads, &c., situated in ——— township, in the county of ———, surveyed the —— day of ——, 186–, in pursuance of a warrant granted to —— ———, dated the —— day of ——, 186–.

—— ———, *C. S.*

To ———, *Surveyor General.*

FORM No. 5½.

FOR RETURN OF A TRACT SURVEYED BY A FORMER DEPUTY OR COUNTY SURVEYOR.

Draft of a tract of land containing —— acres and —— perches and allowance of six per cent. for roads, &c., situate in ——— township, in the county of ———, surveyed the —— day of ——, by —— ———, then —— surveyor, in pursuance of a warrant granted to —— ———, dated the —— day of ——.

I hereby certify that the foregoing is a correct copy of a survey filed amongst the records of the County Surveyor's office, of this county, and that it has been examined by me and found to be correct.

—— ———, *C. S.*

To —— ———, *Surveyor General.*

FORM No. 6.

FOR RETURN OF PART OF A TRACT FOR PATENTING.

Draft of a tract of land, situated in ——— township, in the county of ———, containing —— acres, —— perches, and allowance of six per cent. for roads, &c., surveyed for —— ———, the —— day of ——; being a part of a larger tract of —— acres, —— perches, and allowance; originally surveyed in pursuance of a warrant granted to —— ———, dated the —— day of ———.

—— ———, *C. S.*

To —— ——— *Surveyor General.*

NOTE.—When this form is used, the county surveyor should indicate by *dotted lines* the remainder of the original survey; thus showing the particular location of the part returned.

FORM No 7.

FORM OF APPLICATION FOR PATENT WHEN THE PRESENT OWNER CAN GIVE STATEMENT OF TITLE FROM THE WARRANTEE OR PARTY WHO TOOK OUT THE OFFICE RIGHT.

I, —— ———, of ———, in the county of ———, the present owner of —— acres and —— perches, and allowances of land, now situate in ——— township, ——— county, surveyed on a warrant to —— ———, dated the — day of ———, herewith forward the amount of purchase money, interest and fees due the Commonwealth, and request that a patent issue in my name for the said tract.

[Here give statement of title.]

To the Surveyor General.

——— *County, ss:*

Before me, the subscriber, a justice of the peace in and for said county, personally came —— ———, the above named applicant, who, being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, the facts set forth in the foregoing application are true; and further, that he does not know of any other person or persons claiming title to the above described land, under the aforesaid warrantee.

Sworn and subscribed before me, this — day of ———.

—— ———, *J. P.*

——— *County, ss :*

Before me, the subscriber, a justice of the peace in and for said county, personally came —— ———, a reputable citizen of the township and county in which the land is situate, for which a patent is asked in the foregoing application, who, being duly sworn according to law, did depose and say, that he knows the applicant to be the reputed owner, and believes that he is the actual owner of the land above described.

Sworn and subscribed before me, this — day of ———.

—— ———, *J. P.*

NOTE.—When there is more than one owner of the tract, or when the application is for part only of the original tract, the form can be varied to suit the requirements of the case.

FORM NO. 8.

FORM OF APPLICATION FOR PATENT WHEN THE PRESENT OWNER CANNOT GIVE A COMPLETE STATEMENT OF TITLE FROM THE WARRANTEE OR OTHER PERSON WHO TOOK OUT THE OFFICE RIGHT.

I, —— ———, of ———, in the county of ———, the present owner of —— acres and —— perches, and allowance of land, now situated in ——— township, ——— county, surveyed on a warrant to —— ———, dated the —— day of ——, herewith forward the amount of purchase money, interest and fees due the Commonwealth, and request that a patent issue in my name for the said tract. And further represent, that owing to the length of time which has elapsed since the warrant was taken out, and the great number of conveyances and assurances in law vesting title to the same, I am unable to give a connected statement of them.

To the Surveyor General.

———

——— *County, ss:*

Before me, the subscriber, a justice of the peace in and for the said county, personally came —— ———, the above named applicant, who, being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, the facts set forth in the foregoing application are true; and further, that he does not know of any other person or persons claiming title to the above described land, under the aforesaid warrantee.

Sworn and subscribed before me, this — day of——.

—— ———, *J. P.*

———

——— *County, ss:*

Before me, the subscriber, a justice of the peace in and for said county, personally came —— ———, a reputable citizen of the township and county in which the land is situate, for which a patent is asked in the foregoing application, who, being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, the aforesaid applicant, and those under whom he claims title, have held the above described tract of land by peaceable possession, and the exercise of ownership, for more than twenty-one years last past.

Sworn and subscribed before me, this — day of ——.

—— ———, *J. P.*

NOTE.—When there is more than one owner of the tract, or when the application is for part only of the original tract, the form can be varied to suit the requirements of the case.

A TABULAR STATEMENT

Of the population, square miles and number of acres in the several counties of the Commonwealth of Pennsylvania, together with the Names, Latitude and Longitude of their respective County Seats.

NAMES.	Popula'n 1860.	Square miles.	Acres.	County seats.	Latitude.	Longitude from Washington.
					D. M. S.	D. M. S.
Adams	28,006	528	337,920	Gettysburg	39 49 47 N.	0 14 30 W.
Allegheny	178,831	754	482,560	Pittsburg	40 27 30 "	2 55 00 "
Armstrong	35,797	639	408,960	Kittanning	40 40 00 "	2 31 00 "
Beaver	29,140	466	298,240	Beaver c. h	40 41 36 "	3 15 33 "
Bedford	26,736	994	636,160	Bedford	40 2 44 "	1 28 21 "
Berks	93,818	920	588,800	Reading	40 19 26 "	1 5 00 E.
Blair	27,829	594	380,160	Hollidaysb'g	40 25 30 "	1 24 34 W.
Bradford	48,734	1,174	751,360	Towanda	41 47 00 "	0 25 28 E.
Bucks	63,578	605	387,200	Doylestown	40 19 00 "	1 52 59 "
Butler	35,594	785	502,400	Butler	41 01 00 "	2 58 00 W.
Cambria	29,155	670	428,800	Ebensburg	40 34 20 "	1 45 44 "
Cameron*		407	260,480	Emporium	41 30 45 "	1 15 46 "
Centre	27,000	1,075	688,000	Bellefonte	40 57 36 "	0 45 46 "
Carbon	21,033	400	256,000	Mauch Ch'nk	40 53 02 "	1 13 39 E.
Chester	74,578	738	472,320	West Chester	39 58 00 "	1 25 21 "
Clarion	24,988	600	384,000	Clarion	41 13 32 "	2 24 28 W.
Clearfield	18,759	1,190	761,600	Clearfield	41 01 50 "	1 30 42 "
Clinton	17,723	924	591,360	Lock Haven	41 07 16 "	0 30 14 "
Columbia	25,065	431	275,840	Bloomsburg	41 00 45 "	0 30 00 E.
Crawford	48,755	984	629,760	Meadville	41 38 30 "	3 9 30 W.
Cumberland	40,098	544	348,160	Carlisle	40 12 13 "	0 12 12 "
Dauphin	46,756	559	357,760	Harrisburg	40 15 56 "	0 21 00 E.
Delaware	30,597	177	113,280	Media	39 50 4 "	1 35 04 "
Elk	5,915	698	446,720	Ridgway	41 25 15 "	1 46 15 W.
Erie	49,432	750	480,000	Erie	42 07 30 "	3 05 13 "
Fayette	39,909	824	527,360	Uniontown	39 54 15 "	2 43 15 "
Forest†	898	445	284,800	Tionesta	41 29 45 "	2 29 15 "
Franklin	42,126	750	480,000	Chambersb'g	39 56 14 "	0 37 47 "
Fulton	9,131	420	268,800	M'Connells'g	39 55 32 "	0 59 33 "
Greene	24,343	608	389,120	Waynesburg,	39 53 21 "	3 11 40 "
Huntingdon	28,100	840	537,600	Huntingdon	40 27 00 "	1 5 00 "
Indiana	33,687	770	492,800	Indiana	40 39 00 "	2 2 00 "
Jefferson	18,270	645	412,800	Brookville	41 12 30 "	2 14 00 "
Juniata	16,986	351	224,640	Mifflintown	40 35 14 "	0 24 28 "
Lancaster	116,314	950	608,000	Lancaster	40 2 33 "	0 45 20 E.
Lawrence	22,999	358	229,120	New Castle	41 00 46 "	3 21 00 W.
Lebanon	31,831	306	195,840	Lebanon	40 20 30 "	0 34 26 E.
Lehigh	43,753	364	232,960	Allentown	40 36 28 "	1 33 12 "
Luzerne	90,244	1,400	896,000	Wilkesbarre	41 15 49 "	1 00 8 "
Lycoming	37,399	1,080	691,200	Williamspo't	41 15 00 "	0 3 15 W.
M'Kean	8,859	1,120	716,800	Smethport	41 49 00 "	1 30 00 "
Mercer	36,856	650	416,000	Mercer	41 15 00 "	2 44 00 "
Mifflin	16,340	370	236,800	Lewistown	40 35 00 "	2 25 00 "
Monroe	16,758	600	384,000	Stroudsburg	40 59 28 "	1 46 28 E.
Montgomery	70,500	472	303,080	Norristown	40 7 22 "	1 39 42 "
Montour	13,053	148	94,720	Danville	40 50 45 "	0 19 30 "
Northampton	47,904	375	240,000	Easton	40 41 30 "	1 36 00 "
Northumberl'd	28,922	457	292,480	Sunbury	40 51 00 "	0 11 00 "
Perry	22,793	539	344,960	N. Bloomfield	40 25 00 "	0 13 00 W.
Philadelphia	565,529	126	80,640	Philadelphia	39 57 00 "	1 51 00 E.
Carried forw'd,	2,411,421	32,574	20,848,360			

*Not organized until after the census of 1860 had been taken. The population included in other counties.

† Part of Venango county added to Forest, by act of Assembly, approved October 31, 1866. The population transferred not ascertained.

TABULAR STATEMENT—*Continued.*

NAMES.	Popula'n 1860.	Square miles.	Acres.	County seats.	Latitude.	Longitude from Washington.
					D. M. S.	D. M. S.
Bro't forward,	2,411,521	32,574	20,848,360	.....		
Pike.....	7,155	600	384,000	Milford	41 15 45 N.	2 10 25 E.
Potter	11,470	1,071	685,440	Coudersport ..	41 47 00 "	1 4 00 W.
Schuylkill.....	89,510	760	486,400	Pottsville	40 41 28 "	0 46 23 E.
Snyder	15,035	293	187,520	Middleburg...	40 47 30 "	0 05 57 W.
Somerset	26,778	1,066	682,240	Somerset.....	40 00 42 "	2 04 00 "
Sullivan..	5,637	430	275,200	Laporte	41 25 30 "	0 27 45 E.
Susquehanna...	36,267	797	510,080	Montrose	41 53 45 "	1 08 13 "
Tioga	31,044	1,116	714,240	Wellsboro'....	41 42 00 "	0 19 31 W.
Union.....	14,145	258	165,120	Lewisburg ...	41 00 18 "	0 13 15 E.
Venango*.....	25,043	516	330,240	Franklin	41 24 43 "	2 50 10 W.
Warren.....	19,190	861	551,040	Warren c. h ..	41 51 00 "	2 13 45 "
Washington	46,805	896	573,440	Washington ..	40 10 21 "	3 12 53 "
Wayne	32,239	720	460,800	Honesdale.....	41 34 29 "	1 42 00 E.
Westmoreland	53,736	1,050	672,000	Greensburg...	40 29 00 "	2 29 00 W.
Wyoming.....	12,540	409	261,760	Tunkhanno'k	41 31 25 "	1 01 20 E.
York	68,200	900	576,000	York	39 37 30 "	0 17 00 "
	2,906,215	44,317	28,362,880			

*Part of Venango county added to Forest, by act of Assembly, approved October 31, 1866. The population transferred not ascertained.

☞ Pennsylvania is situate between 39 deg. 43 min. and 42 deg. north latitude, and 2 deg. 17 min. east, and 3 deg. 31 min. west longitude, from Washington. Its mean length is 280.39 miles, mean breadth 158.05 miles; its greatest length is $302\frac{1}{4}\frac{3}{0}$ miles, and greatest breadth 175 miles and 192 perches.

The latitude of Greenwich is 51 deg. 28 min. 39 sec. north, and the latitude of Washington 38 deg. 53 min. 39 sec. north. The longitude of Philadelphia from Greenwich is 75 deg. 18 min. west, and the longitude of Greenwich from Washington is 77 deg. 9 min. east.

The above statement has been taken and calculated from the best charts and tables known and accessible to the Land Office.

Names and date, day, month and year of the erection of the several counties of the Commonwealth of Pennsylvania, and the territory from which they were formed; the three first counties which were formed, to wit: Philadelphia, Bucks and Chester, were established at the first settlement of the Province of Pennsylvania, and formed the only original counties of all that territory of which the now great State is formed, comprised of sixty-six counties, as follow, viz:

1. Adams, January 22, 1800, formed of a part of York.
2. Allegheny, September 24, 1788, formed of a part of Westmoreland and Washington.
3. Armstrong, March 12, 1800, formed of a part of Allegheny, Westmoreland and Lycoming.
4. Beaver, March 12, 1800, formed of a part of Allegheny and Washington.
5. Bedford, March 9, 1771, formed of a part of Cumberland.
6. Berks, March 11, 1752, formed of a part of Philadelphia, Chester and Lancaster.
7. Blair, February 26, 1846, formed of a part of Huntingdon and Bedford.
8. Bradford, February 21, 1810, formed of a part of Luzerne and Lycoming.*
9. Bucks, one of the original counties of the Province.†
10. Butler, March 12, 1800, formed of a part of Allegheny.
11. Cambria, March 26, 1804, formed of a part of Huntingdon, Somerset and Bedford.
12. Cameron, March 29, 1860, formed of a part of Clinton, Elk, M'Kean and Potter.
13. Carbon, March 13, 1843, formed of a part of Northampton and Monroe.
14. Centre, February 13, 1800, formed of a part of Mifflin, Northumberland, Lycoming and Huntingdon.
15. Chester, one of the original counties established at the first settlement of the Province.
16. Clarion, March 11, 1839, formed of a part of Venango and Armstrong.
17. Clearfield, March 26, 1804, formed of a part of Lycoming and Northumberland.
18. Clinton, June 21, 1839, formed of a part of Lycoming and Centre.
19. Columbia, March 22, 1813, formed of a part of Northumberland.
20. Crawford, March 12, 1800, formed of a part of Allegheny.
21. Cumberland, January 27, 1750, formed of a part of Lancaster.
22. Dauphin, March 4, 1785, formed of a part of Lancaster.

* Previous to March 24, 1812, this county was called Ontario, but its name was changed to Bradford on that day.

† Bucks county was one of the three original counties established at the first settlement of the Province of Pennsylvania; the other two being Philadelphia and Chester.—*See Votes of the Assembly, Vol.* 1.

23. Delaware, September 26, 1789, formed of a part of Chester
24. Elk, April 18, 1843, formed of a part of Jefferson, Clearfield and M'Kean.
25. Erie, March 12, 1800, formed of a part of Allegheny.
26. Fayette, September 26, 1783, formed of a part of Westmoreland.
27. Forest, April 11, 1848, formed from a part of Jefferson and Venango.*
28. Franklin, September 9, 1784, formed from a part of Cumberland.
29. Fulton, April 19, 1850, formed from a part of Bedford.
30. Greene, February 9, 1796, formed from a part of Washington.
31. Huntingdon, September 20, 1787, formed from a part of Bedford.
32. Indiana, March 30, 1803, formed from a part of Westmoreland and Lycoming.
33. Jefferson, March 26, 1804, formed from a part of Lycoming.
34. Juniata, March 2, 1831, formed from a part of Mifflin.
35. Lancaster, May 10, 1729, formed from a part of Chester.
36. Lawrence, March 25, 1850, formed from a part of Beaver and Mercer.
37. Lebanon, February 16, 1813, formed from a part of Dauphin and Lancaster.
38. Lehigh, March 6, 1812, formed from a part of Northampton.
39. Luzerne, September 25, 1786, formed from a part of Northumberland.
40. Lycoming, April 13, 1796, formed from a part of Northumberland.
41. M'Kean, March 20, 1804, formed from a part of Lycoming.
42. Mercer, March 12, 1800, formed from a part of Allegheny.
43. Mifflin, September 19, 1789, formed from a part of Cumberland and Northumberland.
44. Monroe, April 1, 1836, formed from a part of Northampton and Pike.
45. Montgomery, September 10, 1784, formed from a part of Philadelphia.
46. Montour, May 3, 1850, formed from a part of Columbia.
47. Northampton, March 11, 1752, formed from a part of Bucks.
48. Northumberland, March 27, 1772, formed from parts of Lancaster, Cumberland, Berks, Bedford and Northampton.
49. Perry, March 22, 1820, formed from a part of Cumberland.
50. Philadelphia, one of the three original counties established at the first settlement of the Province.
51. Pike, March 26, 1814, formed from a part of Wayne.
52. Potter, March 26, 1804, formed from a part of Lycoming.
53. Schuylkill, March 1, 1811, formed from a part of Berks and Northampton.
54. Snyder, March 2, 1855, formed from a part of Union.
55. Somerset, April 17, 1795, formed from a part of Bedford.
56. Sullivan, March 15, 1847, formed from a part of Lycoming.
57. Susquehanna, February 21, 1810, formed from a part of Luzerne.

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* Part of Venango added by act approved October 31, 1866.

58. Tioga, March 26, 1804, formed from a part of Lycoming.
59. Union, March 22, 1813, formed from a part of Northumberland.
60. Venango, March 13, 1800, formed from a part of Allegheny and Lycoming.
61. Warren, March 12, 1800, formed from a part of Allegheny and Lycoming.
62. Wayne, March 21, 1796, formed from a part of Northampton.
63. Washington, March 28, 1781, formed from a part of Westmoreland.
64. Westmoreland, February 26, 1773, formed from a part of Bedford, and in 1785 part of the purchase of 1784 was added thereto.
65. Wyoming, April 4, 1842, formed from a part of Luzerne.
66. York, August 19, 1749, formed from a part of Lancaster.

List of County Surveyors whose election or appointment has been officially reported to this Department.

COUNTIES.	NAME OF SURVEYORS.	POST OFFICE.
Adams	Jesse D. Keller	Hanover.
Allegheny	R. L. M'Cully	Pittsburg.
Armstrong	Alexander Gordon	Leechburg.
Beaver	Azariah Wynn	Beaver.
Bedford	Samuel Ketterman	Bedford.
Berks	Daniel S. Zaeharias	Reading.
Blair	James L. Gwin	Altoona.
Bradford	Oliver W. Stevens	Camptown.
Bucks	Thomas M'Reynolds	
Butler	Nathan M. Slater	Petersburg.
Cambria	Henry Seanlan	Carrolltown.
Cameron	Edward Vosburg	No oath of office filed.
Carbon	Henry Boyer	Mauch Chunk.
Centre	E. J. Deshler	Aaronsburg.
Chester	Edward B. Ashbridge	No oath of office filed.
Clarion	Samuel Conner	No oath of office filed.
Clinton	John L. Eckel	Logan Mills.
Clearfield	Samuel F. M'Closkey	Curwensville.
Crawford		
Columbia	Isaae A. Dewitt	No oath filed.
Cumberland	John C. Eekles	Carlisle.
Dauphin	M. R. Alleman	Middletown.
Delaware	Joseph Taylor	No oath filed.
Elk		
Erie	Robert P. Holliday	Fairview.
Fayette	Andrew J. Gilmore	Masontown.
Forest	Samuel J. Irwin	Tionesta.
Franklin	Emanuel Kuhn	Chambersburg.
Fulton	Isaae N. Culp	Fort Littleton.
Greene	George Hoge	Oak Forest.
Huntingdon	James E. Glasgow	Cassville.
Indiana	Thompson M'Crea	Brush Valley.
Jefferson	James Caldwell	Brookville.
Juniata	Adam Wilt	Mifflintown.
Lancaster	A. R. Witmer	Safe Harbor.
Lawrence		
Lebanon	Henry C. Grittinger	Lebanon.
Lehigh		
Lyeoming	John S. Laird	Jersey Shore.
Luzerne	Patrick Blewitt	Seranton.
Mercer	O. H. Gould	Mercer.
Mifflin	John Swartzell	Lock's Mills.
M'Kean		
Monroe	Melehoir Spragle	Stroudsburg.
Montgomery	Abel Rambo	No oath filed.
Montour	George W. West	Danville.
Northampton	Birge Pearson	No oath filed.

COUNTY SURVEYORS—*Continued.*

COUNTIES.	NAME OF SURVEYORS.	POST OFFICE.
Northumberland	J. K. Francis	Hickorytown.
Perry	Michael B. Holman	Liverpool.
Philadelphia		
Pike	John Layton	Dingman's Ferry.
Potter	C. L. Hoyt	No oath filed.
Schuylkill	Joseph Huntzinger	Hegins.
Somerset	A. J. Colborn	Somerset.
Sullivan	Job L. King	Eldredville.
Susquehanna	James W. Chapman	Montrose.
Snyder		
Tioga	David Heise	Wellsboro'.
Union	Reuben F. Brown	Lewisburg.
Venango	Geo. M. Bowman	Franklin.
Warren	Henry Cobham	Warren.
Washington	Demas Bennington	Zollarsville.
Wayne	Edwin E. Tallman	Starrueca.
Westmoreland	W. R. Barnhart	Greensburg.
Wyoming	C. W. Hine	Tunkhannock.
York	Benjamin Leese	Codorus.

ANNUAL REPORT

OF THE

SURVEYOR GENERAL

OF THE

Commonwealth of Pennsylvania,

FOR THE

Year ending November 30, 1869.

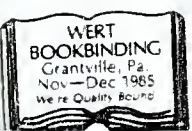
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